

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHARESE WELCH o/b/o QW,

Plaintiff,

-against-

**ORDER**

06 CV 5591 (RJD) (KAM)

MICHAEL J. ASTRUE, Acting Commissioner  
of Social Security,

Defendant.

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DEARIE, Chief Judge.

Plaintiff brings this action on behalf of her minor child, QW. Plaintiff seeks reversal pursuant to 42 U.S.C. § 405(g) of the Commissioner's finding that QW was not eligible for Supplemental Security Income ("SSI") benefits under Title XVI of the Social Security Act.

After conducting a hearing on the matter, reviewing the evidence before him, and following the sequential evaluation process set forth in 20 C.F.R. § 416.924, Administrative Law Judge ("ALJ") Ronald R. Bosch concluded that QW does not have an "extreme" limitation in any one, or a "marked" limitation in any two, of the functional domains set forth in 20 C.F.R. § 416.926(a) and therefore does not demonstrate a disability functionally equal to the criteria for severity set forth in the Listings of Impairment in Appendix 1 to Subpart P of 20 C.F.R. § 404. Tr. 22. The Court understands plaintiff's concern for the welfare of her daughter and notes the ALJ's observation that "the child's condition requires constant monitoring, and [that] the condition might worsen to the point of disability in the future." Tr. 21. However, because the record demonstrates that the ALJ's finding that "the child is not disabled at the present time," Tr.

21, is supported by substantial evidence, the Court grants the defendant's motion for judgment on the pleadings.

SO ORDERED.

Dated: Brooklyn, New York  
February 11, 2008

s/ Judge Raymond J. Dearie

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RAYMOND J. DEARIE  
United States District Judge